

EXHIBIT D

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
8 IN AND FOR THE COUNTY OF KING

9 BRMK Lending, LLC, a Delaware limited
10 liability company,

11 Petitioner,

12 v.

13 V S INVESTMENT ASSOC., LLC, a
14 Washington limited liability company,

15 Respondent.

No. 20-2-01927-5 SEA

**PROOF OF CLAIM OF
PETITIONER, BRMK LENDING,
LLC**

16 **To:** Stuart Heath, General Receiver
17 ELLIOT BAY ASSET SOLUTIONS, LLC
18 2535 - 152nd Ave NE, Ste. B2
Redmond, Washington 98052

- 19 1. **Name of Debtor:** V S Investment Assoc., LLC
20 4415 Priest Point Dr NW
21 Tulalip, WA 98271
- 22 2. **Name of Secured Creditor:** BRMK Lending, LLC, successor by merger to
23 (Notices Sent To) PBRELF I, LLC
24 (Payment Sent To) c/o Arnold M. Willig, Esq.
25 HACKER & WILLIG, INC., P.S.
26 520 Pike Street, Suite 2500
Seattle, Washington 98101
(206) 340-1935
arnie@hackerwillig.com

PROOF OF CLAIM - 1

HACKER & WILLIG, INC., P.S.
ATTORNEYS AT LAW
520 Pike Street, Suite 2500
Seattle, Washington 98101-3225
Telephone (206) 340-1935

charlie@hackerwillig.com

anna@hackerwillig.com

3. **Total Amount of Claim:** \$4,236,395.98 as of February 6, 2020

4. **Basis for Secured Claim:**

a) Goods Sold

b) Services Performed

c) Money Loaned XXXX

d) Personal Injury/Wrongful Death

e) Taxes

f) Other

Please see the Petition in this matter [Dkt. #1], and the prior-filed Declaration of Stephanie Jenkins, with attachments thereto, dated January 22, 2020, at Dkt. #5 herein. A courtesy copy of same shall be provided to the Receiver upon request.

5. **Date(s) the Debt Was Incurred:** Between April 18, 2016, and the present date.

6. **Secured Claims:** If you assert a secured claim (a security interest or lien securing your claim), check the space below, describe the nature of the security interest or lien, and attach legible copies of all documents evidencing the security interest or lien and, if perfected, the perfection of such security interest or lien (including without limitation, mortgages, deeds of trust, security agreements, notices of claim of lien, UCC financing statements and the like). Otherwise, leave this section blank.

☒ Secured Creditor asserts a secured claim.

Description of security interest or lien including identification and location of property securing the claim:

Please see the Petition in this matter [Dkt. #1], and the prior-filed Declaration of Stephanie Jenkins, with attachments thereto, dated January 22, 2020, at Dkt. #5 herein. A courtesy copy of same shall be provided to the Receiver upon request.

7. **Setoffs:** Have any sums that you owe the Debtor been offset against sums owed by the Debtor to you in the calculation of your claim? ☐ Yes ☒ No

If so, what amount have you offset? _____

Briefly describe the nature of the offsetting debt(s): _____

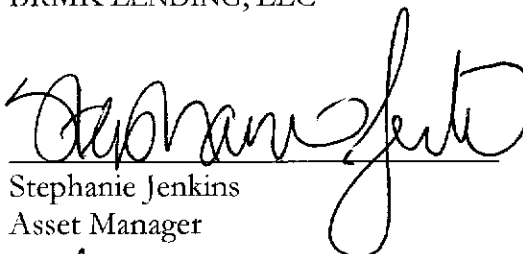
PROOF OF CLAIM - 2

HACKER & WILLIG, INC., P.S.
ATTORNEYS AT LAW
520 Pike Street, Suite 2500
Seattle, Washington 98101-3225
Telephone (206) 340-1935

1 8. **Verification and Signature:** The undersigned certifies under the penalty of perjury that
2 all information regarding this claim is true and correct to the best of all available information
3 and belief. The undersigned certifies that the Debtor is indebted to the claimant in the amount
4 shown, that there is no security for the debt other than that stated above or in an attachment to
5 this form, and that undersigned is authorized to make this claim.

6 BRMK LENDING, LLC

7 Signature:

8 

9 Stephanie Jenkins

10 Title:

11 Asset Manager

12 Date:

13 March 24, 2020

14 Claimant reserves the right to amend this claim. Summary is attached.

15 Claimant reserves the right to prosecute said claim in any subsequently filed proceeding.

16 Additional documents are available upon request.

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PROOF OF CLAIM - 3

HACKER & WILLIG, INC., P.S.
ATTORNEYS AT LAW
520 Pike Street, Suite 2500
Seattle, Washington 98101-3225
Telephone (206) 340-1935

BRMK Lending, LLC/V S Investment Assoc., LLC
King County Superior Court Case No. 20-2-01927-5 SEA

Breakdown of Amounts Owed Through February 6, 2020:

Loan No. x026:

Borrower: V S Investment Assoc., LLC

Matured June 1, 2018

Principal Balance	\$ 2,929,543.15
Interest	\$ 968,302.95
Late Charges	\$ 287,543.00
Extension Fees	\$ 39,102.71
Other Lender Fees	\$ <u>300.00</u>
	\$ 4,224,791.81

\$1,953.03 *per diem*

Attorneys' Fees:	\$ 11,241.00
Costs:	\$ <u>363.17</u>

Total Owing: \$ 4,236,395.98

*** BRMK LENDING LLC'S INTEREST, ATTORNEYS' FEES, AND COSTS IN THIS RECEIVERSHIP PROCEEDING REMAIN ONGOING AND CONTINUE TO ACCRUE.**